



**Amendment Under 37 C.F.R. § 1.116
Expedited Procedure - Art Unit 1646**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chernajovsky *et al.*

Appl. No. 09/756,283

Filed: January 9, 2001

For: **Latent Fusion Protein**

Confirmation No.: 5963

Art Unit: 1646

Examiner: Andres, Janet L.

Atty. Docket: 0623.1000000/LBB/PAJ

TECH CENTER 1600/2900

JUN 13 2003

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M.G.J.
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(NE)

**Amendment and Reply Under 37 C.F.R. § 1.116 and in the Revised
Format of the Pre-OG Notice Dated January 31, 2003**

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the final Office Action dated March 11, 2003, Applicants submit the following Amendment and Remarks. This Amendment is provided in the format approved in the pre-OG Notice dated January 31, 2003, entitled, "Amendments In A Revised Format Now Permitted," and in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all of the claims:
 - in ascending order;
 - with status identifiers; and
 - with markings in the currently amended claims; and
- (C) Starting on a separate sheet, the Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.



Sterne Kessler Goldstein Fox

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*Admitted only in Maryland
*Admitted only in Virginia
*Practice limited to
Federal Agencies

June 10, 2003

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P.O. Box 1450
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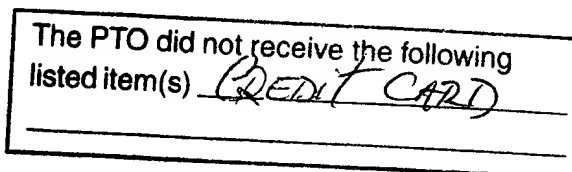
Re: U.S. Utility Patent Application
Appl. No. 09/756,283; Filed: January 9, 2001
For: **Latent Fusion Protein**
Inventors: Chernajovsky *et al.*
Our Ref: 0623.1000000/LBB/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal (Form PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.116 and in the Revised Format of the Pre-OG Notice Dated January 31, 2003; and
3. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.




Commissioner for Patents
June 10, 2003
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman
Attorney for Applicants
Registration No. 45,986

PAJ:aye
Enclosures

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SKGF Rev. 2/15/02 dcw; 4/18/03 svb

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Complete if Known	
Application Number	09/756,283
Filing Date	January 9, 2001
First Named Inventor	Ch rnajovsky tafa
Examiner Name	Andres, Janet L.
Art Unit	1646
Attorney Docket No.	0623.1000000/LBB/PAJ

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None
 ** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

☐ Deposit Account
 Deposit Account Number 19-0036
 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any over payments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

The PTO did not receive the following listed item(s)

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra	Fee from below	Fee Paid
Total Claims 18 - 24** = 0	X 18	= 0.00
Indep. Claims 3 - 4* = 0	X 84	= 0.00
Multiple Dependent		=

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissue, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type)	Peter A. Jackman	Registration No. (Attorney/Agent)	45,986	Telephone	202-371-2600
Signature		Date	6/10/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, O.P. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

SKGF Rev. 5/23/03 MAC